



DEPARTMENT OF THE NAVY
HEADQUARTERS UNITED STATES MARINE CORPS
3000 MARINE CORPS PENTAGON
WASHINGTON, DC 20350-3000

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ARSF-KC
JUN 2 2019

SENT VIA FOIAONLINE TO: 74354-18927439@REQUESTS.MUCKROCK.COM
MS EMMA BEST
MUCKROCK – DEPT 74354
411A HIGHLAND AVE
SOMERVILLE MA 02144-2516

Dear Ms. Best:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT (FOIA) REQUEST, FILE
NUMBER DON-USMC-2019-007489

This acknowledges receipt of your May 31, 2019, FOIA request for “[d]ocuments mentioning or relating to Anonymous... or hacktivism... generated between 1 January 2009 and 1 January 2019” from “appropriate IT... or computer offices” and to or from “federal law enforcement or intelligence agencies or any fusion center”. We are controlling your request under file number **DON-USMC-2019-007489**.

Please be advised that a FOIA request must meet certain criteria before it is to be considered ‘perfected’, one of which is that it must describe records with sufficient detail to permit us to conduct an organized, non-random search for responsive records. For example, records are kept in hundreds of geographic locations and in dozens of databases throughout the world. The FOIA does not require Marine Corps personnel to conduct such a wide-ranging search and, without additional detail, your request is considered overly broad and unduly burdensome. Please provide us with the names of the Marine Corps personnel whose email accounts and computers you would like us to search and the offices which might hold the other records you are seeking. Without narrowing your request, we cannot consider it perfected or initiate any action upon it. We will, however, hold it in abeyance for 10 calendar days from the date of this letter, pending the receipt of further information.

You also requested a fee waiver but, before making a decision, we must first determine whether your request meets the Department of Defense (DoD) requirements for fee waivers, taking into consideration the following factors:

1. Does the record specifically concern identifiable operations or activities of the Government?
2. If so, is disclosure likely to contribute to public understanding of these operations and activities? Are the releasable contents of the record(s) meaningfully informative in relation to the subject of the request? For example, is this information of wide public interest and will your disclosure be unique in enhancing public knowledge?

3. Is the focus on contributing to public understanding rather than the requester's own understanding or that of a narrow segment of interested persons?

4. Will any likely contribution to public understanding be significant?

Requests for fee waivers should address these requirements in sufficient detail for us to make an informed decision. In this instance, it is unclear how any releasable responsive records would made a significant contribution to what the public already knows about the operations and mission of the Marine Corps. We must, therefore, deny your request for a fee waiver.

Because the Office of the Judge Advocate General has categorized you as a "media requester" for the purpose of assessing FOIA processing fees, you are entitled to 100 pages of duplication free of charge but are responsible for the payment of any fees beyond that. Fees are currently assessed at \$0.15 cents per page for photocopy duplication. See 32 C.F.R. § 286 Subpart E.

If you consider this to be an adverse determination, you may submit an appeal directly within FOIAonline. To do this, you would log in to your account, retrieve your original request, and then click on the "Create New" tab in the left-hand column and select "Appeal". The basic information from your request will be duplicated for you, and then you can type in the basis of your appeal. If you prefer to use regular mail, you may submit an appeal to the Judge Advocate General (Code 14), 1322 Patterson Avenue SE, Suite 3000, Washington Navy Yard, DC 20374-5066. Your appeal, if any, must be postmarked within 90 calendar days from the date of this letter and should include a statement indicating why you believe your appeal should be granted.

You also have the right to seek assistance and/or dispute resolution services from the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at (703) 697-0031 or Christopher.a.julka@navy.mil. You may also contact the Office of Government Information Services for assistance and/or dispute resolution at ogis@nara.gov or (877) 684-6448. For more information online about services provided by OGIS, please visit their website at <https://ogis.archives.gov>.

I am the official responsible for this determination. Should you have questions about this action, please contact Ms. Kary Charlebois of my staff at (703) 614-4008, via email to hqmcfoia@usmc.mil, or fax at (703) 614-6287.

Sincerely,



S. A. HUGHES
FOIA/PA Program Manager